



General Assembly

Amendment

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LCO No. 8819



Offered by:

REP. GUERRERA, 29th Dist.
SEN. LEONE, 27th Dist.
SEN. BOUCHER, 26th Dist.
REP. CARNEY, 23rd Dist.

REP. ARCE, 4th Dist.
SEN. SUZIO, 13th Dist.
SEN. CASSANO, 4th Dist.

To: Subst. House Bill No. 7055

File No. 427

Cal. No. 300

"AN ACT CONCERNING RECOMMENDATIONS BY THE DEPARTMENT OF TRANSPORTATION REGARDING THE NOTIFICATION OF STATE CONSTRUCTION CONTRACT OPPORTUNITIES BY THE UNIVERSITY OF CONNECTICUT AND THE COMMISSIONER OF TRANSPORTATION, PARKING SPACES, WAYSIDE HORNS, THE DISPOSITION OF EXCESS STATE PROPERTY, HEAVY DUTY TRAILERS, FLASHING LIGHTS ON MOTOR VEHICLES AND ROAD AND BRIDGE DESIGNATIONS."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Subsection (c) of section 10a-109n of the general statutes
4 is repealed and the following is substituted in lieu thereof (*Effective*
5 *October 1, 2017*):

6 (c) (1) Any construction contract to which the university is a party
7 may include a provision that the design professional who designed the
8 project, or an architect or professional engineer or construction

9 manager retained or employed specifically for the purpose of
10 supervision, may supervise the work to be performed through to
11 completion and ensure that the materials furnished and the work
12 performed are in accordance with the drawings, plans, specifications
13 and contracts therefor.

14 (2) (A) Except as provided in subparagraph (B) of this subdivision,
15 any total cost basis contract or other contract for the construction of a
16 university project which is estimated to cost more than five hundred
17 thousand dollars, shall be publicly let by the university. The university
18 shall give notice to contractors interested in prequalifying to submit a
19 project proposal or bid, by [advertising, at least once, in one or more
20 newspapers having general circulation in the state and by posting the
21 advertisement] posting any such notice on the university web site and
22 on the State Contracting Portal. The notice to prequalify shall contain
23 the requirement that contractors be prequalified pursuant to section
24 4a-100, a statement of the time and place where the responses shall be
25 received and such additional information as the university deems
26 appropriate. Upon receipt of such responses, the university shall select
27 each contractor who has been prequalified pursuant to section 4a-100
28 and has shown itself able to post surety bonds required by such
29 contract and has demonstrated that it possesses the financial,
30 managerial and technical ability and the integrity necessary and
31 without conflict of interest for faithful and efficient performance of the
32 work provided for therein. The university shall evaluate whether each
33 such contractor is responsible and qualified based on its experience
34 with projects similar to that for which the bid or proposal is to be
35 submitted and based on objective written criteria included in the
36 application to request prequalification with respect to such contract.
37 The university shall also consider whether a contractor, and any
38 subcontractor on the contractor's previous projects, has been in
39 compliance with the provisions of part III of chapter 557 and chapter
40 558 during the previous five calendar years.

41 (B) Notwithstanding the provisions of subparagraph (A) of this
42 subdivision, the board of trustees may approve a total cost basis

43 contract or other contract for the construction of a university project
44 which is estimated to cost more than five hundred thousand dollars
45 that has not been publicly let pursuant to the provisions of said
46 subparagraph (A), provided the board deems the contract to address
47 an emergency.

48 (3) The university shall thereafter give notice to those so
49 prequalified by the university pursuant to subdivision (2) of this
50 section of the time and place where the public letting shall occur and
51 shall include in such notice such information of the work required as
52 appropriate. Each bid or proposal shall be kept sealed until opened
53 publicly at the time and place as set forth in the notice soliciting such
54 bid or proposal. The university shall not award any construction
55 contract, including, but not limited to, any total cost basis contract,
56 after public letting, except to the responsible qualified contractor,
57 submitting the lowest bid or proposal in compliance with the bid or
58 proposal requirements of the solicitation document. The university
59 may, however, waive any informality in a bid or proposal, and may
60 either reject all bids or proposals and again advertise for bids or
61 proposals or interview at least three responsible qualified contractors
62 and negotiate and enter into with any one of such contractors that
63 construction contract which is both fair and reasonable to the
64 university.

65 (4) The notice to each contractor prequalified to submit a proposal
66 or bid and the construction contract, including each total cost basis
67 contract, awarded by the university shall contain such other terms and
68 conditions, and such provisions for penalties as the university may
69 deem appropriate.

70 (5) No payments shall be made by the university on account of any
71 contract for the project awarded by or for the university until the bills
72 or estimates presented for such payment shall have been duly certified
73 to be correct by the university. No payments shall be made from any
74 other fund on account of any contract for any project awarded by or
75 for the university until the bills or estimates presented for such

76 payment shall have been duly certified to be correct by the university.

77 (6) Provision shall be made in each contract to the effect that
78 payment is limited to the amount provided therein and that no liability
79 of the university or state shall and may be incurred beyond such
80 amount.

81 (7) The university shall require, for the protection of the state and
82 the university, such deposits, bonds and security in connection with
83 the submission of bids or proposals, the award of construction
84 contracts and the performance of work as the university shall
85 determine to be appropriate and in the public interest of the state.

86 (8) Any contract awarded by the university shall be a contract with
87 the state acting through the university.

88 (9) The university shall not enter into a construction manager at-risk
89 project delivery contract that does not provide for a maximum
90 guaranteed price for the cost of construction which shall be
91 determined not later than the time of the receipt and approval by the
92 university of the trade contractor bids. Each construction manager at-
93 risk shall invite bids and give notice of opportunities to bid on project
94 elements, by [advertising, at least once, in one or more newspapers
95 having general circulation in the state and by posting the
96 advertisement] posting any such invitation or notice on the [Internet]
97 State Contracting Portal. Each bid shall be kept sealed until opened
98 publicly at the time and place as set forth in the notice soliciting such
99 bid. The construction manager at-risk shall, after consultation with and
100 approval by the university, award any related contracts for project
101 elements to the responsible qualified contractor, who shall be
102 prequalified pursuant to section 4a-100, submitting the lowest bid in
103 compliance with the bid requirements, provided (A) the construction
104 manager at-risk shall not be eligible to submit a bid for any such
105 project element, and (B) construction shall not begin prior to the
106 determination of the maximum guaranteed price, except for the project
107 elements of site preparation and demolition that have been previously

108 put out to bid and awarded.

109 (10) If the university designates a project as suitable for a design-
110 build contract, the university may enter into a single contract with a
111 design-builder recommended by a selection panel and selected by the
112 university. The university shall give notice of such project and
113 specifications for such project by posting such notice on the [Internet]
114 State Contracting Portal. The university shall establish a selection
115 panel for each project to score the qualifications and past performance
116 of each design-builder who submits a competitive proposal to the
117 university for such project. The selection panel shall score the
118 qualifications and past performance of each design-builder using a
119 predetermined scoring method developed by the university and
120 provided to each design-builder in advance of such design-builder's
121 development of the competitive proposal. The selection panel's scoring
122 method may be unique to each project, but shall consist of combining
123 the score of each design-builder's qualifications and past performance
124 and evaluating the technical merit of the competitive proposal and
125 each design-builder's projected project cost. The design-build contract
126 shall (A) include, but not be limited to, such project elements as
127 permitting, engineering, design, construction and, if applicable, site
128 acquisition, and (B) be based on the competitive proposal submitted by
129 the design-builder that is selected by the university. No design-build
130 contract for which the total cost is estimated to be more than five
131 hundred thousand dollars may be awarded to a design-builder who is
132 not prequalified for the project in accordance with section 4a-100. Such
133 design-build contracts shall state the responsibilities of the design-
134 builder to deliver a completed and acceptable project on a date certain
135 and the maximum costs of the project and, if applicable, as a separate
136 item, the cost of any site acquisition. The university shall determine all
137 other requirements and conditions for such competitive proposals,
138 selection of a design-builder and other awards and shall have sole
139 responsibility for all other aspects of such design-build contracts.

140 Sec. 2. Subsections (b) and (c) of section 13a-95b of the general
141 statutes are repealed and the following is substituted in lieu thereof

142 (Effective October 1, 2017):

143 (b) If the commissioner designates a project to use a construction-
144 manager-at-risk contract with a guaranteed maximum price, the
145 commissioner may have the project designed by department personnel
146 or enter into a contract with an architect or engineer for the project
147 design, and may also enter into a contract with a construction-
148 manager-at-risk contractor who will provide input during the design
149 process and may be responsible for the construction of the project. The
150 commissioner may permit the contractor to self-perform a portion of
151 the construction work if the commissioner determines that the
152 construction manager general contractor can perform the work more
153 cost-effectively than a subcontractor. All work not performed by the
154 construction manager general contractor shall be performed by trade
155 subcontractors selected by a process approved by the commissioner.
156 The construction-manager-at-risk contract shall have an established
157 guaranteed maximum price. In the event that a guaranteed maximum
158 price cannot be agreed upon, the commissioner may elect to call for
159 bids on the project as provided for pursuant to section 13a-95. The
160 commissioner may select the architect, engineer or contractor from
161 among the contractors selected and recommended by a selection panel.
162 Any such contract for such project shall be based upon competitive
163 proposals received by the commissioner, who shall give notice of the
164 project, by advertising [at least once, in a newspaper having a
165 substantial circulation in the area in which the project is located, and
166 may give notice] on the Department of Administrative Services State
167 Contracting Portal, or use other advertising methods likely to reach
168 qualified construction manager general contractors. Award of any
169 such contract shall be based upon the general conditions and staff costs
170 plus qualitative criteria. The commissioner shall establish all criteria,
171 requirements and conditions of such proposals and award and shall
172 have sole responsibility for all other aspects of the project. Any
173 contract shall clearly state the responsibilities of the contractor to
174 deliver a completed and acceptable project on a date certain, the
175 maximum cost of the project, and, if applicable, as a separate item, the

176 cost of property acquisition.

177 (c) If the commissioner designates a project to use a design-build
178 contract, the commissioner may enter into a single contract with the
179 design-builder, who the commissioner may select from among the
180 design-builders selected and recommended by a selection panel. The
181 contract shall (1) include, but not be limited to, such project elements
182 as site acquisition, permitting, engineering design and construction,
183 and (2) be based on competitive proposals received by the
184 commissioner, who shall give notice of the project and specifications
185 for the project, by advertising [at least once, in a newspaper having a
186 substantial circulation in the area in which the project is located, and,
187 at the commissioner's discretion,] on the Department of Administrative
188 Services State Contracting Portal, and may use other advertising
189 methods likely to reach qualified design-build contractors. Award of
190 the design-build contract shall be based on a predetermined metric
191 provided to proposers in advance of technical proposal development.
192 This metric may be unique to each project, but shall consist of a
193 combined score of qualifications and past performance of the proposer,
194 technical merit of the proposal and cost. The commissioner shall
195 establish a selection panel for each project to score the qualifications
196 and past performance and technical portion of the proposal using the
197 predefined scoring metric. The sealed cost portion of the proposal shall
198 be opened in a public ceremony only after the qualifications and past
199 performance and technical portions of the proposals have been scored.
200 The commissioner shall determine all criteria, requirements and
201 conditions for such proposals and award and shall have sole
202 responsibility for all other aspects of the contract. Such contract shall
203 state clearly the responsibilities of the design-builder to deliver a
204 completed and acceptable project on a date certain, the maximum cost
205 of the project, and, if applicable, as a separate item, the cost of property
206 acquisition.

207 Sec. 3. Section 13b-20g of the general statutes is repealed and the
208 following is substituted in lieu thereof (*Effective October 1, 2017*):

209 Whenever there is a need to engage a consultant, the Commissioner
210 of Transportation shall notify all firms that are prequalified in
211 accordance with section 13b-20e in the category of services being
212 sought by the department. If the prequalified list contains fewer than
213 five consulting firms or does not include the area of expertise required
214 by the department, the commissioner shall publish a notice in
215 appropriate professional magazines, professional newsletters or on-
216 line professional web sites, indicating the general scope of the
217 assignment and requesting responses in accordance with subsection
218 (b) of section 13b-20e, and [at least once in one or more newspapers
219 having a circulation in each county of the state] on the Department of
220 Administrative Services State Contracting Portal. Responses shall be
221 received at the Department of Transportation not later than fourteen
222 days after the last date on which the notice is published, unless
223 additional time is specifically authorized by the commissioner, or not
224 later than any specific date set forth in such notice. For certain
225 specialized projects the notice may also solicit a full work proposal in
226 addition to the technical qualifications of a firm.

227 Sec. 4. Subsection (h) of section 14-253a of the general statutes is
228 repealed and the following is substituted in lieu thereof (*Effective*
229 *October 1, 2017*):

230 (h) Parking spaces designated for persons who are blind and
231 persons with disabilities on or after October 1, 1979, and prior to
232 October 1, 2004, shall be as near as possible to a building entrance or
233 walkway and shall be fifteen feet wide including three feet of cross
234 hatch, or parallel to a sidewalk on a public highway. On and after
235 October 1, [2004] 2017, parking spaces for passenger motor vehicles
236 designated for persons who are blind and persons with disabilities
237 shall be as near as possible to a building entrance or walkway and
238 shall be fifteen feet wide including five feet of cross hatch or parallel to
239 a sidewalk on a public highway. On and after October 1, [2004] 2017,
240 parking spaces for passenger vans designated for persons who are
241 blind and persons with disabilities shall be as near as possible to a
242 building entrance or walkway and shall be sixteen feet wide including

243 eight feet of cross hatch or parallel to a sidewalk on a public highway.
244 Such spaces shall be designated by above grade signs with white
245 lettering against a blue background and shall bear the words
246 "handicapped parking permit required" and "violators will be fined".
247 Such [sign] signs shall also bear the international symbol of access. [On
248 and after January 1, 2017, whenever] Whenever such a sign is replaced,
249 repaired or erected it shall bear the words "reserved parking permit
250 required" and "violators will be fined", bear the symbol of access and
251 indicate the minimum fine for a violation of subsection (f) of this
252 section. Such indicator may be in the form of a notice affixed to such a
253 sign.

254 Sec. 5. Subsection (b) of section 13b-329 of the general statutes is
255 repealed and the following is substituted in lieu thereof (*Effective*
256 *October 1, 2017*):

257 (b) A wayside horn may be used in lieu of a horn attached to an
258 engine at any highway-rail grade crossing equipped with an active
259 warning system consisting of, at a minimum, flashing lights and gates.
260 Such wayside horn shall [(1)] conform to the federal requirements for
261 wayside horn use [, and (2) sound at a minimum of twenty-nine
262 seconds prior to the train's arrival at the crossing, while the lead
263 locomotive is traveling across the crossing and occasionally thereafter
264 until such engine has crossed such highway] set forth in 49 CFR 222.59,
265 as amended from time to time. Any entity installing a wayside horn
266 shall comply with the federal requirements for written notice set forth
267 in 49 CFR 222. For the purposes of this section, "wayside horn" has the
268 same meaning as provided in 49 CFR 222.9, as amended from time to
269 time.

270 Sec. 6. Subsection (b) of section 13a-80 of the general statutes is
271 repealed and the following is substituted in lieu thereof (*Effective*
272 *October 1, 2017*):

273 (b) The Department of Transportation shall obtain a full appraisal
274 on excess property prior to its sale and shall hold a public bid or

275 auction for all properties determined to be legal lots of record. If the
276 department does not receive any bids at the initial public bid or
277 auction, the department may continue to market the property and
278 accept offers for sale or hold another bid or auction. Transfers to other
279 state agencies and municipalities for purposes specified by the
280 department shall be exempt from the appraisal requirement. The
281 department shall offer parcels that are legal lots of record to other state
282 agencies [, and to any municipality in which any such parcel is located,
283 before holding] prior to a public bid or auction and shall offer parcels
284 that are not legal lots of record to [all] abutting landowners in
285 accordance with department regulations. If the sale or transfer of
286 property pursuant to this section results in the existing property of an
287 abutting landowner becoming a nonconforming use, pursuant to local
288 zoning requirements, the commissioner may sell or transfer the
289 property to such abutting landowner without public bid or auction.
290 The department shall obtain a second appraisal if the value of such
291 property is more than two hundred fifty thousand dollars and is to be
292 sold to an abutting landowner or in accordance with the provisions of
293 subsection (c) of this section. Any appraisals shall be obtained prior to
294 the determination of a sale price of the excess property.

295 Sec. 7. Section 14-24 of the general statutes is repealed and the
296 following is substituted in lieu thereof (*Effective October 1, 2017*):

297 The [commissioner] Commissioner of Motor Vehicles may, if in [his]
298 the commissioner's opinion it is equitable, grant a special registration
299 and furnish a special set of number plates or markers, limited or
300 unlimited as [he] the commissioner deems advisable, for the operation
301 of heavy duty trailers for the transportation of heavy construction
302 equipment, of cranes or other heavy construction equipment upon the
303 streets and highways of this state from the railroad station or the
304 storage yard to the construction job, or from one construction job to
305 another. Each movement of such trailer, when loaded, crane or other
306 heavy construction equipment shall require a limited or unlimited
307 written permit from the Commissioner of Transportation, unless it is
308 operating with an [oversize-overweight account code number,] annual

309 permit and a confirmation number furnished by said commissioner
310 pursuant to section 14-270. The Commissioner of Transportation shall
311 issue for each such vehicle operating with such an [account code
312 number] annual permit a document which identifies the vehicle and
313 states the date of issue and date of expiration. The original document,
314 as furnished by the Commissioner of Transportation, shall be carried
315 in the vehicle. The markers or number plates furnished by the
316 Commissioner of Motor Vehicles shall be displayed in a prominent
317 place on the rear of the vehicle. Such registration may be revoked or
318 suspended at the discretion of the commissioner. Nothing in this
319 section shall be construed to prevent the commissioner from issuing
320 temporary registrations for vehicles of this class. The commissioner
321 may, upon receipt of a certified copy of a permit granted under the
322 provisions of section 13a-117, grant to the person named in the permit
323 a special registration and furnish a special set of number plates or
324 markers, limited or unlimited, as specified in the permit, which permit
325 shall be a part of such registration. The registered gross weight of any
326 tractor-trailer unit, where the trailer is registered as a heavy duty
327 trailer, shall be the light weight of the tractor plus the gross weight of
328 the heavy duty trailer.

329 Sec. 8. Subsection (f) of section 14-96q of the general statutes is
330 repealed and the following is substituted in lieu thereof (*Effective*
331 *October 1, 2017*):

332 (f) The commissioner may issue a permit for a yellow or amber light
333 or lights, including flashing yellow or amber lights, which may be
334 used on motor vehicles or equipment that are (1) specified in
335 subsection (e) of this section, (2) maintenance vehicles as defined in
336 section 14-1, or (3) vehicles transporting or escorting any vehicle or
337 load or combinations thereof, which is or are either oversize or
338 overweight, or both, and being operated or traveling under a permit
339 issued by the Commissioner of Transportation pursuant to section 14-
340 270. A yellow or amber light or lights, including flashing yellow or
341 amber lights, may be used without obtaining a permit from the
342 Commissioner of Motor Vehicles on wreckers registered pursuant to

343 section 14-66, [or] on vehicles of carriers in rural mail delivery service
344 or on vehicles operated by construction inspectors employed by the
345 state of Connecticut, authorized by the Commissioner of
346 Transportation, used during the performance of inspections on behalf
347 of the state. The Commissioner of Transportation shall maintain a list
348 of such authorized construction inspectors, including the name and
349 address of each inspector and the registration number for each vehicle
350 on which the lights are to be used.

351 Sec. 9. (*Effective from passage*) The Commissioner of Transportation
352 shall evaluate the financial and operational feasibility of service
353 improvements and plan the implementation of such improvements on
354 the Danbury branch line of the New Haven Line, as defined in section
355 13b-79o of the general statutes, including, but not limited to, the
356 provision of shuttle service and the replacement of rail cars on such
357 branch line. In conducting such evaluation, the commissioner shall
358 review previous studies regarding the Danbury branch line including,
359 but not limited to, the Department of Transportation's 2016 Danbury
360 Branch Line Final Implementation Plan. Not later than January 1, 2018,
361 the commissioner shall submit a report, in accordance with the
362 provisions of section 11-4a of the general statutes, of the
363 commissioner's evaluation, findings and plan to the joint standing
364 committees of the General Assembly having cognizance of matters
365 relating to finance, revenue and bonding and transportation.

366 Sec. 10. Section 13a-26a of the general statutes is repealed and the
367 following is substituted in lieu thereof (*Effective from passage*):

368 The Department of Transportation shall investigate and identify
369 methods to improve notification of height restrictions on the Merritt
370 Parkway. In conducting such investigation, the department shall focus
371 on limited access highway entrances to such parkway and electronic
372 methods for notification of height restrictions on such entrances. Not
373 later than January 1, 2018, the department shall submit a report, in
374 accordance with the provisions of section 11-4a, of the department's
375 findings and recommendations to the joint standing committee of the

376 General Assembly having cognizance of matters relating to
377 transportation.

378 Sec. 11. Subsections (c) and (d) of section 14-100a of the general
379 statutes are repealed and the following is substituted in lieu thereof
380 (*Effective October 1, 2017*):

381 (c) (1) The operator of and any front seat passenger in any motor
382 vehicle or fire fighting apparatus originally equipped with seat safety
383 belts complying with the provisions of 49 CFR 571.209, as amended
384 from time to time, shall wear such seat safety belt while the vehicle is
385 being operated on any highway, except as follows:

386 (A) A child [six] under eight years of age [and under] shall be
387 restrained as provided in subsection (d) of this section;

388 (B) The operator of such vehicle shall secure or cause to be secured
389 in a seat safety belt any passenger [seven] eight years of age or older
390 and under sixteen years of age; and

391 (C) If the operator of such vehicle is under eighteen years of age,
392 such operator and each passenger in such vehicle shall wear such seat
393 safety belt while the vehicle is being operated on any highway.

394 (2) The provisions of subdivision (1) of this subsection shall not
395 apply to (A) any person whose physical disability or impairment
396 would prevent restraint in such safety belt, provided such person
397 obtains a written statement from a licensed physician or a licensed
398 advanced practice registered nurse containing reasons for such
399 person's inability to wear such safety belt and including information
400 concerning the nature and extent of such condition. Such person shall
401 carry the statement on his or her person or in the motor vehicle at all
402 times when it is being operated, or (B) an authorized emergency
403 vehicle, other than fire fighting apparatus, responding to an
404 emergency call or a motor vehicle operated by a rural letter carrier of
405 the United States postal service while performing his or her official
406 duties or by a person engaged in the delivery of newspapers.

407 (3) Failure to wear a seat safety belt shall not be considered as
408 contributory negligence nor shall such failure be admissible evidence
409 in any civil action.

410 (4) Any operator of a motor vehicle, who is eighteen years of age or
411 older, and any passenger in such motor vehicle, who violates any
412 provision of this subsection shall have committed an infraction and
413 shall be fined fifty dollars. Any operator of a motor vehicle who is
414 under eighteen years of age and any passenger in such motor vehicle
415 who violates any provision of this subsection shall have committed an
416 infraction and shall be fined seventy-five dollars. Points may not be
417 assessed against the operator's license of any person convicted of such
418 violation.

419 [(d) (1) Any person who transports a child six years of age and
420 under or weighing less than sixty pounds, in a motor vehicle on the
421 highways of this state shall provide and require the child to use a child
422 restraint system approved pursuant to regulations adopted by the
423 Department of Motor Vehicles in accordance with the provisions of
424 chapter 54. Any person who transports a child seven years of age or
425 older and weighing sixty or more pounds, in a motor vehicle on the
426 highways of this state shall either provide and require the child to use
427 an approved child restraint system or require the child to use a seat
428 safety belt. As used in this subsection, "motor vehicle" does not mean a
429 bus having a tonnage rating of one ton or more. Failure to use a child
430 restraint system shall not be considered as contributory negligence nor
431 shall such failure be admissible evidence in any civil action.]

432 [(2)] (d) (1) (A) Any person who transports a child under [one year]
433 two years of age or weighing less than [twenty] thirty pounds in a
434 motor vehicle on the highways of this state shall provide and require
435 the child to ride rear-facing in a child restraint system equipped with a
436 five-point harness approved pursuant to regulations that the
437 Department of Motor Vehicles shall adopt in accordance with the
438 provisions of chapter 54.

439 (B) Any person who transports a child under five years of age, but
440 not under two years of age, or weighing less than forty pounds, but
441 not less than thirty pounds, in a motor vehicle on the highways of this
442 state shall provide and require the child to ride rear-facing or forward-
443 facing in a child restraint system equipped with a five-point harness
444 approved pursuant to such regulations.

445 (C) Any person who transports a child under eight years of age, but
446 not under five years of age, or weighing less than sixty pounds, but not
447 less than forty pounds, in a motor vehicle on the highways of this state
448 shall provide and require the child to ride rear-facing or forward-
449 facing in a child restraint system equipped with a five-point harness or
450 a booster seat secured by a seat safety belt approved pursuant to such
451 regulations.

452 (D) No person shall transport a child in a motor vehicle on the
453 highways of this state in a rear-facing child restraint system in the
454 front seat of any motor vehicle that is equipped with a functional air
455 bag on the passenger side of such motor vehicle.

456 (2) Any person who transports a child eight years of age or older
457 and weighing sixty or more pounds in a motor vehicle on the
458 highways of this state shall either provide and require the child to use
459 an approved child restraint system or require the child to use a seat
460 safety belt. Failure to use a child restraint system shall not be
461 considered as contributory negligence nor shall such failure be
462 admissible evidence in any civil action. As used in this subsection,
463 "motor vehicle" does not mean a bus having a tonnage rating of one
464 ton or more.

465 (3) Notwithstanding the provisions of subdivision (1) of this
466 subsection, any person who transports a child four years of age or
467 older in a student transportation vehicle, as defined in section 14-212,
468 on the highways of this state shall either provide and require the child
469 to use an approved child restraint system or require the child to use a
470 seat safety belt. Any person who transports a child under four years of

471 age weighing less than forty pounds in a student transportation
472 vehicle on the highways of this state shall provide and require the
473 child to use a child restraint system approved pursuant to such
474 regulations. [adopted by the Department of Motor Vehicles in
475 accordance with the provisions of chapter 54.]

476 (4) No person shall restrain a child in a booster seat unless the motor
477 vehicle is equipped with a safety seat belt that includes a shoulder belt
478 and otherwise meets the requirement of subsection (b) of this section.

479 (5) Any person who violates the provisions of subdivision (1), (2),
480 (3) or (4) of this subsection shall, for a first violation, have committed
481 an infraction; for a second violation, be fined not more than one
482 hundred ninety-nine dollars; and, for a third or subsequent violation,
483 be guilty of a class A misdemeanor. The commissioner shall require
484 any person who has committed a first or second violation of the
485 provisions of this subsection to attend a child car seat safety course
486 offered or approved by the Department of Motor Vehicles. The
487 commissioner may, after notice and an opportunity for a hearing,
488 suspend for a period of not more than two months the motor vehicle
489 operator's license of any person who fails to attend or successfully
490 complete the course.

491 Sec. 12. Subsections (i) to (k), inclusive, of section 22a-66a of the
492 general statutes are repealed and the following is substituted in lieu
493 thereof (*Effective October 1, 2017*):

494 (i) Notwithstanding the provisions of this section, neither the state
495 nor any municipality nor any pesticide application business [.] or
496 public service company [or railroad company] shall be required to
497 provide notice of any pesticide application made to rights-of-way,
498 distribution lines and roadsides, including guardrails, except that an
499 electric public service company shall be required to comply with
500 regulations adopted pursuant to subsection (b) of section 22a-66k
501 concerning the on-site posting of a notice of pesticide application.

502 (j) Any railroad company that makes any pesticide application to

503 any rights-of-way shall, not later than twenty-one days prior to such
504 pesticide application, provide notice of such pesticide application to
505 the Department of Transportation and the chief elected official or
506 board of selectmen of each municipality in which such application will
507 be made. Not later than February first of each year, each railroad
508 company that makes any pesticide application to any rights-of-way
509 shall file a vegetation management plan with the Department of
510 Transportation and each municipality in which such pesticide
511 application will be made that identifies target vegetation and
512 management methods for the forthcoming calendar year. Not later
513 than thirty days after receipt of any such vegetation management plan
514 each such municipality shall post such vegetation management plan
515 on such municipality's Internet web site, if such web site is available.

516 [(j)] (k) The Commissioner of Public Health, prior to spraying a
517 seasonal larvicide for mosquito control, shall cause to be published in a
518 newspaper of general circulation in the area of the spraying notice of
519 such spraying. The Commissioner of Public Health or any municipal
520 or district health department, prior to adulticide spraying for mosquito
521 control, shall post a sign in the area of such spraying notifying the
522 public of the spraying.

523 [(k)] (l) Notwithstanding the provisions of section 22a-63, any
524 person who violates any provision of this section shall be fined not
525 more than ninety dollars.

526 Sec. 13. Section 13b-78k of the general statutes is repealed and the
527 following is substituted in lieu thereof (*Effective October 1, 2017*):

528 As used in this section, sections 13b-57m, 13b-57r and 13b-57s,
529 subsections (a), (b) and (c) of section 13b-57t, sections 13b-74 and 13b-
530 78l to 13b-78n, inclusive, and section 46 of public act 05-4 of the June
531 special session:

532 (1) "New Haven Line" means the rail passenger service operated
533 between New Haven and intermediate points and Grand Central
534 station, including the Danbury, Waterbury and New Canaan branch

535 lines.

536 (2) "New Haven Line revitalization program" means the design,
537 development, construction and acquisition of maintenance facilities,
538 rail cars and related equipment for use on the New Haven Line, as
539 specified in subdivisions (1) and (2) of section 13b-78l.

540 (3) "Transportation Strategy Board projects account" means the
541 account created by subsection (a) of section 13b-57r.

542 (4) "Transportation system improvement" means: [(1)] (A) Projects
543 included in the state-wide transportation improvement program, [(2)]
544 (B) funded and unfunded projects included in regional transportation
545 improvement plans, or [(3)] (C) projects identified in subsection (h) of
546 section 13b-57.

547 Sec. 14. Section 14-283b of the general statutes is repealed and the
548 following is substituted in lieu thereof (*Effective October 1, 2017*):

549 (a) For the purpose of this section "emergency vehicle" means any
550 vehicle with activated flashing lights (1) operated by a member of an
551 emergency medical service organization responding to an emergency
552 call, (2) operated by a fire department or by any officer of a fire
553 department responding to a fire or other emergency, (3) operated by a
554 police officer, (4) that is a maintenance vehicle, as defined in section 14-
555 1, or (5) that is a wrecker, as defined in section 14-1, "police officer" has
556 the meaning set forth in section 7-294a, and "highway" has the
557 meaning set forth in section 14-1, provided such highway has two or
558 more travel lanes that proceed in the same direction.

559 (b) Any operator of a motor vehicle on a highway when
560 approaching one or more emergency vehicles that are stationary or
561 traveling significantly below the posted speed limit and located on the
562 shoulder, lane or breakdown lane of such highway shall (1)
563 immediately reduce speed to a reasonable level below the posted
564 speed limit, and (2) if traveling in the lane adjacent to the shoulder,
565 lane or breakdown lane containing such emergency vehicle, move such

566 motor vehicle over one lane, unless such movement would be
567 unreasonable or unsafe.

568 (c) Any operator of a motor vehicle on a highway when
569 approaching one or more nonemergency vehicles that are stationary
570 and located on the shoulder, lane or breakdown lane of such highway
571 shall, if traveling in the lane adjacent to the shoulder, lane or
572 breakdown lane containing such nonemergency vehicle, move such
573 motor vehicle over one lane, unless such movement would be
574 unreasonable or unsafe.

575 ~~[(c)]~~ (d) (1) Any person who violates the provisions of subsection (b)
576 of this section shall have committed an infraction, except that if such
577 violation results in the injury of the operator of an emergency vehicle,
578 such person shall be fined not more than two thousand five hundred
579 dollars and, if such violation results in the death of the operator of an
580 emergency vehicle, such person shall be fined not more than ten
581 thousand dollars.

582 (2) Any person who violates the provisions of subsection (c) of this
583 section shall have committed an infraction.

584 Sec. 15. *(Effective from passage)* The Commissioner of Transportation
585 shall conduct a study on the feasibility of constructing a tunnel from
586 Greenwich to Bridgeport. Such study shall include, but not be limited
587 to, the feasibility of constructing such tunnel under Interstate 95. Not
588 later than January 1, 2019, the commissioner shall submit a report, in
589 accordance with the provisions of section 11-4a of the general statutes,
590 of the commissioner's findings to the joint standing committee of the
591 General Assembly having cognizance of matters relating to
592 transportation.

593 Sec. 16. Section 14-251 of the general statutes is repealed and the
594 following is substituted in lieu thereof *(Effective October 1, 2017)*:

595 No vehicle shall be permitted to remain stationary within ten feet of
596 any fire hydrant, or upon the traveled portion of any highway except

597 upon the right-hand side of such highway in the direction in which
598 such vehicle is headed; and, if such highway is curbed, such vehicle
599 shall be so placed that its right-hand wheels, when stationary, shall,
600 when safety will permit, be within a distance of twelve inches from the
601 curb, except if a bikeway, as defined in section 13a-153f, or such
602 bikeway's buffer area, as described in the federal Manual on Uniform
603 Traffic Control Devices, is in place between the parking lane and the
604 curb, such vehicle shall be so placed that its right-hand wheels, when
605 stationary, shall, when safety will permit, be within a distance of
606 twelve inches from the edge of such bikeway or buffer area. No vehicle
607 shall be permitted to remain parked within twenty-five feet of an
608 intersection or a marked crosswalk at such intersection, except within
609 ten feet of such intersection if such intersection has a curb extension
610 treatment with a width equal to or greater than the width of the
611 parking lane and such intersection is located in the city of New Haven,
612 or within twenty-five feet of a stop sign caused to be erected by the
613 traffic authority in accordance with the provisions of section 14-301,
614 except where permitted by the traffic authority of the city of New
615 Haven at the intersection of one-way streets located in the city of New
616 Haven. No vehicle shall be permitted to remain stationary upon the
617 traveled portion of any highway at any curve or turn or at the top of
618 any grade where a clear view of such vehicle may not be had from a
619 distance of at least one hundred fifty feet in either direction. The
620 Commissioner of Transportation may post signs upon any highway at
621 any place where the keeping of a vehicle stationary is dangerous to
622 traffic, and the keeping of any vehicle stationary contrary to the
623 directions of such signs shall be a violation of this section. No vehicle
624 shall be permitted to remain stationary upon the traveled portion of
625 any highway within fifty feet of the point where another vehicle,
626 which had previously stopped, continues to remain stationary on the
627 opposite side of the traveled portion of the same highway. No vehicle
628 shall be permitted to remain stationary within the limits of a public
629 highway in such a manner as to constitute a traffic hazard or obstruct
630 the free movement of traffic thereon, provided a vehicle which has
631 become disabled to such an extent that it is impossible or impracticable

632 to remove it may be permitted to so remain for a reasonable time for
633 the purpose of making repairs thereto or of obtaining sufficient
634 assistance to remove it. Nothing in this section shall be construed to
635 apply to emergency vehicles and to maintenance vehicles displaying
636 flashing lights or to prohibit a vehicle from stopping, or being held
637 stationary by any officer, in an emergency to avoid accident or to give
638 a right-of-way to any vehicle or pedestrian as provided in this chapter,
639 or from stopping on any highway within the limits of an incorporated
640 city, town or borough where the parking of vehicles is regulated by
641 local ordinances. Violation of any provision of this section shall be an
642 infraction.

643 Sec. 17. Section 13a-153g of the general statutes is repealed and the
644 following is substituted in lieu thereof (*Effective October 1, 2017*):

645 [The Commissioner of Transportation, when updating design
646 standards for roads in the state,] Not later than July 1, 2018, the
647 Commissioner of Transportation shall update design standards for
648 roads in the state. Such design standards shall include, as appropriate,
649 the standards contained within the National Association of City
650 Transportation Officials Urban Bikeway Design Guide and the
651 National Association of City Transportation Officials Urban Street
652 Design Guide.

653 Sec. 18. (*Effective from passage*) A portion of Route 53 in Danbury,
654 from Interstate 84 to South Street, shall be designated the "Danbury
655 Veterans Memorial Highway".

656 Sec. 19. (*Effective from passage*) Route 67 in Oxford shall be
657 designated the "Lieutenant Colonel Howard Belinsky Memorial
658 Highway".

659 Sec. 20. (*Effective from passage*) Route 79 in Madison, from Route 1 to
660 the intersection with Green Hill Road, shall be designated the "Captain
661 Andrew Pedersen-Keel Memorial Highway".

662 Sec. 21. (*Effective from passage*) Route 32, from the end of Route 2

663 overlap in Norwich, northerly to the intersection with Route 207 in
664 Franklin, shall be designated the "Joseph J. Buyak, Jr. Memorial
665 Highway".

666 Sec. 22. (*Effective from passage*) Route 80 in North Branford, from the
667 East Haven town line to the Guilford town line, shall be designated the
668 "North Branford Fire Department Memorial Highway".

669 Sec. 23. (*Effective from passage*) Route 69 in Woodbridge, from
670 Warren Road northerly to the Bethany town line, shall be designated
671 the "Thomas Darling Memorial Highway".

672 Sec. 24. (*Effective from passage*) Route 194 in South Windsor, from
673 Route 30 to Ayers Road, shall be designated the "Cary Prague
674 Memorial Highway".

675 Sec. 25. (*Effective from passage*) A portion of Route 120, from Route
676 322 to Route 10 in Southington, shall be designated "The Southington
677 Fallen Firefighters Memorial Highway".

678 Sec. 26. (*Effective from passage*) Bridge number 05869 on Route 44 in
679 Ashford overpassing the Mount Hope River shall be designated the
680 "Specialist Robert W. Hoyt Memorial Bridge".

681 Sec. 27. (*Effective from passage*) Route 189 in Hartford, near the
682 University of Hartford from Route 44 to the Hartford-West Hartford
683 town line, shall be designated the "A. Peter LoMaglio Memorial
684 Highway".

685 Sec. 28. (*Effective from passage*) Bridge number 00349 on Route 1,
686 overpassing the Patchogue River in Westbrook, shall be designated
687 "The Singing Bridge".

688 Sec. 29. (*Effective from passage*) Bridge number 00348 on Route 1 in
689 Westbrook, overpassing the Menunketesuck River, shall be designated
690 the "John H. Wilson Memorial Bridge".

691 Sec. 30. (*Effective from passage*) Bridge number 05708 on Route 70,

692 over the Ten Mile River, shall be designated the "Police Chief Gary
693 Walberg Memorial Bridge".

694 Sec. 31. (*Effective from passage*) Bridge number 00190 in Branford,
695 overpassing Todds Hill Road, shall be designated the "Frank Kinney,
696 Jr. Memorial Bridge".

697 Sec. 32. (*Effective from passage*) Bridge number 01075 on Interstate 84
698 overpassing Route 70 in Cheshire, shall be designated the "State Police
699 Sergeant G. Karume Schweitzer Memorial Bridge".

700 Sec. 33. (*Effective from passage*) The bridge on Route 229 in
701 Southington, overpassing Interstate 84, shall be designated the
702 "Detective Bruce Boisland Memorial Bridge".

703 Sec. 34. (*Effective from passage*) Bridge number 01228 carrying Scott
704 Road over Interstate 84 in Waterbury shall be designated the "Najla G.
705 Noujaim Memorial Highway".

706 Sec. 35. (*Effective from passage*) Bridge number 01292 carrying Route
707 97 over the Shetucket River shall be designated the "Lord's Bridge".

708 Sec. 36. (*Effective from passage*) Route 287 in Newington, from the
709 junction of Route 176 running in a generally easterly direction to the
710 junction of U.S. 5 and Route 15, shall be designated the "General
711 William P. Kelly Memorial Highway".

712 Sec. 37. (*Effective from passage*) Bridge number 01224 carrying
713 Interstate 84 over the Mad River in Waterbury shall be designated the
714 "Sergeant Joseph M. Nolan Memorial Bridge".

715 Sec. 38. (*Effective from passage*) Bridge number 01592 carrying Maple
716 Street over the Naugatuck River in Ansonia shall be designated the
717 "Veterans of Foreign Wars Memorial Bridge".

718 Sec. 39. (*Effective from passage*) Bridge number 02858 carrying Route
719 243 over Two Mile Brook shall be designated the "Kevin Rascoe, Sr.
720 Memorial Bridge".

721 Sec. 40. (*Effective from passage*) Route 179 in Canton at the
722 intersection of Route 44 shall be designated "Hart's Corner".

723 Sec. 41. Section 29 of public act 13-277 is repealed and the following
724 is substituted in lieu thereof (*Effective from passage*):

725 Bridge number 04324 on Route 175 in Newington shall be
726 designated the ["Sergeant Burton E. Callahan Memorial Bridge"]
727 "Sergeant Burton E. Callahan, Jr. Memorial Bridge".

728 Sec. 42. Section 188 of public act 15-5 of the June special session is
729 repealed and the following is substituted in lieu thereof (*Effective from*
730 *passage*):

731 Route 194 in South Windsor running in a generally northerly
732 direction from U.S. Route 5 to Troy Road shall be designated the
733 ["Thomas F. Howe Memorial Highway"] "Thomas E. Howe Memorial
734 Highway".

735 Sec. 43. Section 189 of public act 15-5 of the June special session is
736 repealed and the following is substituted in lieu thereof (*Effective from*
737 *passage*):

738 Route 10 in Cheshire running in a northerly direction from
739 approximately 350 feet south of the entrance of Bartlem Park to the
740 Cheshire Police Station shall be designated the ["Medal of Honor
741 Highway"] "Medal of Honor Memorial Highway".

742 Sec. 44. Section 171 of public act 15-5 of the June special session is
743 repealed and the following is substituted in lieu thereof (*Effective from*
744 *passage*):

745 Route 173 in Newington from the intersection of Richard Street
746 traveling in a northerly direction to the intersection of Route 174 shall
747 be designated the ["Robert J. Seiler Memorial Highway"] "Firefighter
748 Jay Cole, Jr. Memorial Highway".

749 Sec. 45. (*Effective from passage*) The Department of Transportation

750 shall install a sign for St. Margaret's Shrine prior to exit 47 on the
751 Merritt Parkway.

752 Sec. 46. (*Effective from passage*) The Department of Transportation
753 shall install signs on Route 9 and Interstate 95 for The Katharine
754 Hepburn Cultural Arts Center in Old Saybrook.

755 Sec. 47. (*Effective from passage*) Bridge number 00837 on Interstate 84
756 in Tolland overpassing Cider Mill Road shall be designated the
757 "Sergeant Donald C. LeBlond Memorial Bridge".

758 Sec. 48. (*Effective from passage*) Bridge number 04287 on Old Cathole
759 Road in Tolland overpassing Interstate 84 shall be designated the
760 "Lance Corporal Raymond Blanchette Memorial Bridge".

761 Sec. 49. (*Effective from passage*) The Department of Transportation
762 shall install a sign prior to exit 20 on Interstate 95 for Southport
763 Village.

764 Sec. 50. (*Effective from passage*) The Department of Transportation
765 shall install a sign prior to exit 22 on Interstate 95 for the Fairfield
766 Museum and History Center.

767 Sec. 51. (*Effective from passage*) The Department of Transportation
768 shall install a sign prior to exit 21 on Interstate 95 for the Fairfield
769 Theater Company."

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2017	10a-109n(c)
Sec. 2	October 1, 2017	13a-95b(b) and (c)
Sec. 3	October 1, 2017	13b-20g
Sec. 4	October 1, 2017	14-253a(h)
Sec. 5	October 1, 2017	13b-329(b)
Sec. 6	October 1, 2017	13a-80(b)
Sec. 7	October 1, 2017	14-24
Sec. 8	October 1, 2017	14-96q(f)
Sec. 9	from passage	New section

Sec. 10	<i>from passage</i>	13a-26a
Sec. 11	<i>October 1, 2017</i>	14-100a(c) and (d)
Sec. 12	<i>October 1, 2017</i>	22a-66a(i) to (k)
Sec. 13	<i>October 1, 2017</i>	13b-78k
Sec. 14	<i>October 1, 2017</i>	14-283b
Sec. 15	<i>from passage</i>	New section
Sec. 16	<i>October 1, 2017</i>	14-251
Sec. 17	<i>October 1, 2017</i>	13a-153g
Sec. 18	<i>from passage</i>	New section
Sec. 19	<i>from passage</i>	New section
Sec. 20	<i>from passage</i>	New section
Sec. 21	<i>from passage</i>	New section
Sec. 22	<i>from passage</i>	New section
Sec. 23	<i>from passage</i>	New section
Sec. 24	<i>from passage</i>	New section
Sec. 25	<i>from passage</i>	New section
Sec. 26	<i>from passage</i>	New section
Sec. 27	<i>from passage</i>	New section
Sec. 28	<i>from passage</i>	New section
Sec. 29	<i>from passage</i>	New section
Sec. 30	<i>from passage</i>	New section
Sec. 31	<i>from passage</i>	New section
Sec. 32	<i>from passage</i>	New section
Sec. 33	<i>from passage</i>	New section
Sec. 34	<i>from passage</i>	New section
Sec. 35	<i>from passage</i>	New section
Sec. 36	<i>from passage</i>	New section
Sec. 37	<i>from passage</i>	New section
Sec. 38	<i>from passage</i>	New section
Sec. 39	<i>from passage</i>	New section
Sec. 40	<i>from passage</i>	New section
Sec. 41	<i>from passage</i>	PA 13-277, Sec. 29
Sec. 42	<i>from passage</i>	PA 15-5 of the June Sp. Sess., Sec. 188
Sec. 43	<i>from passage</i>	PA 15-5 of the June Sp. Sess., Sec. 189
Sec. 44	<i>from passage</i>	PA 15-5 of the June Sp. Sess., Sec. 171
Sec. 45	<i>from passage</i>	New section
Sec. 46	<i>from passage</i>	New section

Sec. 47	<i>from passage</i>	New section
Sec. 48	<i>from passage</i>	New section
Sec. 49	<i>from passage</i>	New section
Sec. 50	<i>from passage</i>	New section
Sec. 51	<i>from passage</i>	New section